REMARKS

Interview Summary

Applicants' representatives would like to thank Examiner Michael Hoye and Examiner Scott Beliveau for the courtesy of extending an in-person interview on May 3, 2007. During the interview, a proposed amendment to claim 40 was discussed in view of U.S. Patent No. 5,410,344 to Graves et al. ("Graves"). The applicants' representatives also thank the Examiners for their suggestion of using the concept of set and subset to differentiate the present invention from Graves. The claims have been amended to incorporate the Examiners' suggestion. In the absence of the final amendment, no agreement has been reached regarding the patentability of the claims.

Claims

Claims 40-59 were pending when last examined. With this Response, claims 41, 42, 48, 49, 55, and 57 have been cancelled, claims 40, 45-47, 52-54, 56, 58 and 59 have been amended, claims 60 and 61 have been added. No new matter has been introduced. Support for the amendment can be found at least in FIGS. 3 and 4 and the corresponding description in the specification.

Claim Rejections – 35 USC § 101

Claim 47 was rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. The claim has been amended in accordance with the Examiner's suggestion.

Claim Rejections – 35 USC § 102

Claims 40-59 were rejected under 35 U.S.C. 102(b) as being anticipated by Graves. Applicants respectfully traverse the rejections.

Claim 40, as amended, recites a method that includes storing a multiple level hierarchical data structure for describing user preferences related to filtering and searching multimedia content. The hierarchical data structure has a tree structure in which a top container includes first and second parent preference objects, wherein the first parent preference object is a container having a plurality of child preference objects. A first preference value is assigned to the first parent preference object to characterize user preference for the particular combination of the content description elements represented by the plurality of child preference objects. The method further includes receiving content description information including a set of content description elements for a multimedia content stream, wherein the content description elements represented by the plurality of child preference objects of the first parent preference object form a subset of the set of content description elements for the multimedia content stream. The content description information and the hierarchical data structure with the first preference value are used to evaluate the multimedia content stream for searching and filtering.

Graves discloses a user interface in which an "Overall Feature" rating can be assigned to a recently viewed program. *See* FIG. 5. The user interface also allows the user to grade selected characteristics of the program. Id. Graves "Overall Feature" rating, however, characterizes not just the selected characteristics but the entire program, including characteristics that are not listed in the user interface.

Instead of characterizing the entire program like Graves's "Overall Feature" rating does, the claim requires the first parent preference object to characterize user preference for the particular combination of the content description elements represented by the plurality of child preference objects. The claim explicitly requires receiving content description information including a set of content description elements for a multimedia content stream, wherein the content description elements represented by the plurality of child preference

objects of the first parent preference object form a subset of the set of content description elements for the multimedia content stream. Graves "Overall Feature" characterizes the combination of all characteristics of the program, not just a subset of the set of content description elements for the multimedia content stream.

Because Graves fails to disclose at least the above discussed limitations, claim 40 should be allowable. Claims 43-46 and 54 depend from claim 40 and are allowable for at least the same reasons.

Independent claims 47 and 58 require limitations similar to those discussed above with reference to claim 40. Because Graves fails to disclose those limitations, claims 47 and 58 should be allowable. Claims 50-54, 56 and 59 are dependent claims that are allowable for at least the same reasons as their respective base claims.

New Claims

Claims 60 is an independent claim reciting limitations similar to those in claim 58. Thus, claim 60 should be allowable for at least the same reasons as claim 58.

Claim 61 depends from claim 60 and should be allowable for at least the same reasons.

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CONCLUSION

Applicants respectfully request that the pending claims be allowed and the case passed to issue. Should the Examiner wish to discuss the Application, it is requested that the Examiner contact the undersigned at (415) 772-7493.

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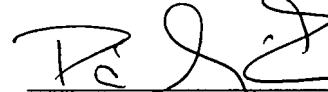
5/18/07   *Richard A. Posk*

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